

## REMARKS

Interestingly, the office action takes the position that because the present application talks about polish rate and not etch rate and the claims talk about etch rate instead of polish rate, the claims are not supported by the specification. The claims have now been amended to recite polish rate instead of etch rate.

Inconsistently, and inexplicably, the Examiner takes exactly the opposite position with the cited art. The cited references talk about etch rate, not polish rate. Based on the Examiner's own reasoning, those rejections should be withdrawn. Namely, no rejection to date has provided any rationale to modify an etch rate with a polish rate. A Section 102 rejection based on a reference which teaches etch rates, not polish rates, is, by the Examiner's own admission (in connection with the Section 112 rejection), inadequate.

Therefore, the rejection should be withdrawn.

With respect to the reliance on Park, the Applicant incorporates the previous response. Further, that response may be supplemented by the newly cited reference to He. He also particularly points out that nitrogen decreases rather than increases etch rate. This is still a further inconsistency between the cited Park reference and reality. Namely, as pointed out previously, in every case, except one, Park points out that the nitrogen implant decreases, not increases, etch rate. He substantiates that the teaching of Park in the one instance is an error since He also suggests that the etch rate should be decreased by the nitrogen implant.

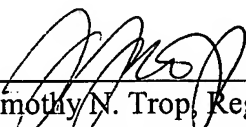
He is even less pertinent than Park because He is actually implanting into a semiconductor material, not the dielectric. In other words, the discussion in He is all about the effect on the semiconductor features 14, but these are portions on a semiconductor substrate as explained at page 2, lines 27-30. Thus, since He is talking about implanting semiconductor material and its affect thereon, not any affect on dielectric material, He is at most of peripheral importance.

Certainly, He does nothing but further confirm, in combination with Park, that Park's one mention of increasing etch rate is an error. Of course, as pointed out above, the Examiner has already taken up the position that the teaching in the present application of polish rate does not support etch rate and, therefore, the rejection is doubly unsupportable.

Therefore, reconsideration is requested.

Respectfully submitted,

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